

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : Concurrent  
First Named Inventor : Garber, Frank  
Filed : Concurrent  
Title : Hip Prosthesis with a Modular Acetabular Cup Assembly  
TC/A.U. : Concurrent  
Examiner : Concurrent

Atty. Docket No. : 0103-0036 (ZM0521)  
Customer No. : 34086

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,



Dated: August 21, 2003

By: \_\_\_\_\_

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Substitute for FORM PTO-1449				Attorney Docket Number 0103-0036 (ZM0521)		Customer No. 34086	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>				First Named Inventor Garber et al.		Application Number Concurrent	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>				Filing Date Concurrent		Group Art Unit N/A	Examiner N/A
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>	
	6,368,354	4/9/2002	Burstein	623	22.28	10/7/1999	
	5,658,348	8/19/1997	Rohr	623	22	9/9/1996	
	5,405,392	4/11/1995	Deckner	623	18	6/8/1993	
	5,049,158	9/17/1991	Engelhardt	623	22	4/20/1990	
	4,919,674	4/24/1990	Schelhas	623	22	1/19/1988	
	4,770,661	9/13/1988	Oh	623	23	1/18/1982	
	4,681,589	7/21/1987	Tronzo	623	22	6/1/1984	
<b>FOREIGN PATENT DOCUMENTS</b>							
	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION (YES/NO)</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
<b>EXAMINER</b>	<b>DATE CONSIDERED</b>						
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							